



MELISSA A. VERMILLION
State Bar No. 241354
BARRETT DAFFIN FRAPPIER
TREDER & WEISS, LLP
20955 Pathfinder Road, Suite 300
Diamond Bar, California 91765
(626) 915-5714 – Phone
(626) 915-0289 - Fax
File No. 7568629
ndcaecf@BDFGroup.com

Signed and Filed: May 17, 2019

A handwritten signature in black ink, appearing to read "Hannah L. Blumenstiel", is written over a horizontal line.

HANNAH L. BLUMENSTIEL
U.S. Bankruptcy Judge

Attorney for Movant
WELLS FARGO BANK, N.A.

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA – SAN FRANCISCO DIVISION

In re:
TIMOTHY JAMES NEHER,
AKA TIMOTHY NEHER,
AKA TIMOTHY J. NEHER,

Debtor(s).

CASE NO.: 17-31070-HLB

CHAPTER: 13

R.S. NO.: EAT-1940

ORDER GRANTING MOTION FOR
RELIEF FROM THE AUTOMATIC STAY

ORG. DATE: June 7, 2018

TIME: 01:00 p.m.

PLACE: U.S. Bankruptcy Court
Courtroom 19, 16th Floor
450 Golden Gate Ave
San Francisco, CA 94102

The Court having considered the Declaration Re Failure to Cure Post-Petition Default Pursuant to Terms of Order Granting Stipulation Re: Adequate Protection Payments filed on May 16, 2019, as Document No. 101, and good cause appearing therefore:

IT IS ORDERED, ADJUDGED AND DECREED that the automatic stay imposed by 11 U.S.C. § 362(a) shall be and is hereby terminated as to WELLS FARGO BANK, N.A. ("Movant"), its successors and assigns, thereby permitting enforcement of its contractual default remedies against the security described in that certain Deed of Trust recorded on August 6, 1999, as Instrument No. 1999-

1 13360, in the Office of the County Recorder of San Mateo, State of California, including that certain
2 real property commonly known as **14 CORAL LN., FOSTER CITY, CA 94404** and legally described
3 as follows:

4 **PARCEL ONE:**

5 LOT 15, AS DESIGNATED ON THE MAP ENTITLED "TRACT 90-83 BEING A SUBDIVISION OF
6 PARCEL P OF TRACT 846 RECORDED IN VOLUME 68 OF SUBDIVISION MAPS AT PAGE 1 IN THE
7 SAN MATEO COUNTY OPEN RECORDS", WHICH MAP WAS FILED IN THE OFFICE OF THE
8 RECORDER OF THE COUNTY OF SAN MATEO, STATE OF CALIFORNIA, ON APRIL 14, 1986 IN
9 BOOK 114 OF MAPS AT PAGES 60 AND 61.

10 **PARCEL TWO:**

11 RIGHTS OF USE AND ENJOYMENT OVER THE COMMON AREA (LOT A AS DESIGNATED ON THE
12 ABOVE MENTIONED MAP) AS SET FORTH IN MARTINIQUE HOMES ENABLING DECLARATION DATED
13 AUGUST 12, 1986 AND RECORDED AUGUST 29, 1986 AS INSTRUMENT NO. 86105529 OFFICIAL
14 RECORDS OF SAN MATEO COUNTY, CALIFORNIA.

15 **PARCEL THREE:**

16 AN EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS AND USE AND ENJOYMENT PURPOSES OVER
17 A PORTION OF LOT 14, AS SHOWN ON THAT CERTAIN MAP ENTITLED "TRACT 90-83, BEING A
18 SUBDIVISION OF PARCEL P OF TRACT 846 RECORDED IN VOLUME 68 OF SUBDIVISION MAPS
19 AT PAGE 1, IN THE SAN MATEO COUNTY RECORDS, FOSTER CITY, SAN MATEO COUNTY,
20 CALIFORNIA," WHICH MAP WAS FILED FOR RECORD IN THE OFFICE OF THE SAN MATEO
21 COUNTY RECORDS, APRIL 14, 1986 IN VOLUME 114, OF MAPS AT PAGES 60-61, INCLUSIVE,
22 SAID EASEMENT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

23 THE MOST WESTERLY FIVE FEET (5.00 FEET) OF SAID LOT 14.

24 ASSESSOR'S PARCEL NO. 094-614-290 JOINT PLANT NO. 114-060-000-0015T

25 ORDERED, ADJUDGED AND DECREED the trustee shall not make any further payments on
26 account of Movant's secured claim after entry of this Order. The secured portion of Movant's claim is
27 deemed withdrawn upon entry of this Order without prejudice to Movant's right to file an amended
28 unsecured claim within thirty days for any deficiency.

ORDERED, ADJUDGED AND DECREED that the terms of this Order shall be deemed
effective and enforceable immediately upon its entry with no stay on its enforcement as prescribed by
Rule 4001(a)(3) of the Federal Rules of Bankruptcy Procedure.

ORDERED, ADJUDGED AND DECREED that the terms of this Order shall be binding and
effective notwithstanding any conversion of this case to a case under any Chapter of *Title 11* of the
United States Code.

****END OF ORDER****

COURT SERVICE LIST

None

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